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SUBJECT: REPORTS OF POLICE ABUSE UNFOUNDED

REF: MOSCOW 2086

1. (SBU) Summary. Post has uncovered no concrete evidence of police abuses during the Bronze Soldier riots April 26-27. Investigations of a small number of complaints are on-going. Of the 1,300 individuals taken into custody during and after the riots, about 300 are facing riot-related charges and 55 are being detained pending further investigation. End Summary.

2. (SBU) Last week, a local Russian-language newspaper ran a series of articles about the Bronze Soldier riots, including an excerpt from the International Helsinki Foundation (IHF) for Human Rights, which called on Estonian authorities to investigate reports that the police used disproportionate force against riot participants. According to IHF, some protesters were reportedly hit with batons, beaten and mistreated after being taken into custody at the temporary detention facility established in a terminal at the Tallinn port. IHF claims that some cases of "apparent" police brutality were documented by TV broadcasts and cell phone recordings. In contrast, the Estonian Institute for Human Rights told Poloff that it has not received any complaints concerning the use of excessive police force during the same period. The Institute representative we spoke to stated that rumors of excessive force are likely based on TV news footage where people saw, for example, suspects being held sitting on the ground awaiting transport to jail. Estonia's Legal Chancellor of Justice, Allar Joks, has been engaged in monitoring police actions throughout the riots and has personally visited many of the individuals currently in police custody. Joks reportedly received no complaints during his visits.

3. (SBU) On May 7, a local Russian-language tabloid published an interview with North Estonian Police Prefect Raivo Kuut. Kuut stated that although some innocent bystanders were arrested for being in the wrong place at the wrong time, none of them were kept in custody for more than 12 hours. (Note: Under Estonian law, an individual can only be held by police without a court order for 48 hours. End Note.) Kuut argued that the riots called for quick and organized action, and called for people to report any incidences of police cruelty so that they can be investigated. Approximately 1,300 individuals were detained by police in association with the riots. To date, police have received a total of 12 formal complaints asserting the use of excessive force. Local and state prosecutors plan to conduct investigations into all complaints. Prosecutors have not yet found grounds to charge any police officers with misconduct.

4. (SBU) Post contacted the Northern Police Prefecture

regarding the IHF report. The public affairs office declined to comment, noting they had not received an official communication from the organization. The Prosecutor's office stated that out of everyone initially taken into custody, 55 people are still being held on suspicion of riot-related crimes. Court orders allow those individuals to remain in custody for up to six months while a case is being built. The Prosecutor's office told us, however, that some individuals could be released sooner. The total number of people facing riot-related charges is approximately 300.

15. (SBU) Disorderly conduct, theft, and resisting arrest are the principle charges against those in court-ordered custody. Among those being held is ethnic-Russian high school student Mark Siryk, who is accused of being one of the riot's principle organizers. The Estonian Criminal Central Police told us that Siryk is being investigated for sending out SMS messages calling Russians to gather at the Bronze Soldier on the night April 26th. He allegedly promised each individual 80 Estonian Crowns per hour for their efforts. This arrest has garnered some attention from protestors in Moscow. (See reftel.) Another ethnic Russian individual in custody is being investigated by the police in connection with the stabbing and death of Russian citizen Dmitry Ganin on the first night of the riots.

16. (SBU) RSO's initial assessment, based on conversations with the police and personal observations, is that the police responded appropriately. He has not witnessed any examples of excessive police force either personally, in the media, or on internet sites such as "YouTube." (Note: A significant amount of amateur video footage of the riots is available on the YouTube website. End Note.) Police used only non-lethal means to subdue non-compliant demonstrators. All methods utilized by police appeared to be commensurate with the

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threats posed by demonstrators.

17. (SBU) Comment: While it is not impossible that police abuses have occurred in isolated cases, Post's initial assessment is that the Estonian police forces have, as a whole, conducted themselves in an appropriate manner. We will continue to monitor police actions and investigations into specific complaints.

PHILLIPS